

## Guidance for Bilingual Judges During Court Proceedings

When presiding over a case where an interpreter is present, a bilingual judge must balance their linguistic proficiency with the integrity of the judicial process. Even if the judge speaks the same language as the interpreter, best practices require maintaining impartiality, ensuring accurate interpretation, and preserving the record.

### **Allow the Interpreter to Perform Their Role**

Do not assume the role of interpreter or correct the interpreter unless a significant issue with the accuracy of the interpretation arises. The interpreter's role is to facilitate communication, and overriding their interpretation can create confusion and compromise neutrality.

### **Maintain Judicial Impartiality**

Avoid engaging in direct conversations in the non-English language with litigants, witnesses, or attorneys. Doing so may give the impression of bias or exclusion for others who do not understand the language.

### **Ensure the Accuracy of the Interpretation Without Taking Over**

If an error is suspected, address it procedurally by:

1. Asking the interpreter to clarify or restate the interpretation.
2. Inquiring about ambiguous terms with multiple meanings.
3. Ensuring that any corrected interpretation is reflected in the official record.

### **Clarify Technical or Legal Terminology**

If certain legal terms have no direct equivalent in the non-English language, the judge may ask the interpreter how they intend to render them. This can prevent misinterpretation of critical legal concepts.

### **Avoid Code-Switching or Side Conversations**

Switching between languages can create confusion and raise concerns about fairness and impartiality. All communication should go through the interpreter to maintain consistency and transparency.

### **Be Mindful of Regional Dialects and Variations**

Even if the judge and interpreter speak the same language, regional differences may affect terminology. Judges should be aware of potential discrepancies and address any confusion appropriately.



## **Respect the Interpreter's Role and Ethical Boundaries**

Interpreters must adhere to ethical standards, including neutrality and confidentiality. Judges should not request explanations, opinions, or legal clarifications from interpreters.

## **Removal of an Interpreter**

According to section VIII. of the [Illinois Supreme Court Language Access Policy](#)

The court may use its discretion to substitute a different interpreter for the interpreter initially appointed in a proceeding. The court may make a substitution at any time and for any reason, but any substitution must be made in open court and must follow procedures laid out in Section V of this policy.

If a Limited English Proficient Person or an attorney or advocate involved in the proceeding concludes that the appointed interpreter is not interpreting communications correctly, the Limited English Proficient Person or an attorney or advocate involved in the proceeding may request the appointment of a different interpreter.

## **Grievance Process**

If the interpreter has violated the [Illinois Supreme Court Code of Interpreter Ethics](#) and the interpreter is active on the [Illinois Court Interpreter Registry](#), judges should submit a confidential [Grievance Form](#) to the Administrative Office of the Illinois Courts.